

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5044 of 2022

Arising Out of PS. Case No.-560 Year-2019 Thana- SUGAULI District- East Champaran

1. ARJUN SAHANI Son of Munilal Sahani Resident of Village- Muswa Bherihari, P.S.- Sugauli, Dist.- East Champaran.
2. Subhash Sahani Son of Bhikhari Sahani Resident of Village- Muswa Bherihari, P.S.- Sugauli, Dist.- East Champaran.
3. Ram Prawesh Sahani Son of Chirkut Sahani Resident of Village- Muswa Bherihari, P.S.- Sugauli, Dist.- East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar, Advocate
For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 01-07-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioners submits that the petitioner no.1 has antecedent of one case, petitioner no.2 has antecedent of three cases and petitioner no.3 is a person with clean antecedent and allegation is of recovery of 40 litres of liquor stashed in a bush and 400-500 litres of semi-prepared liquor which was destroyed at the spot, further the alleged



recovery was from the bank of a river.

Learned counsel for the petitioners submits that the petitioners were not apprehended from the spot as such nothing was recovered from their conscious possession and they came to be implicated based on their antecedents.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sugauli P.S. Case No. 560 of 2019 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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